

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:	§	
	§	
VIVALDI MUSIC ACADEMY, LLC	§	Case No. 19-33978-H3
	§	
Debtor.	§	Chapter 11

**APPLICATION TO EMPLOY CORRAL TRAN SINGH, LLP AS COUNSEL FOR
DEBTOR PURSUANT TO 11 U.S.C. § 327(a)**

THIS APPLICATION SEEKS AN ORDER THAT MAY ADVERSELY AFFECT YOU. IF YOU OPPOSE THIS MOTION, YOU SHOULD IMMEDIATELY CONTACT THE MOVING PARTY TO RESOLVE THE DISPUTE. IF YOU AND THE MOVING PARTY CANNOT AGREE, YOU MUST FILE A RESPONSE AND SEND A COPY TO THE MOVING PARTY. YOU MUST FILE AND SERVE YOUR RESPONSE WITHIN TWENTY-ONE (21) DAYS FROM THE DATE THAT THIS MOTION WAS SERVED ON YOU. YOUR RESPONSE MUST STATE WHY THE MOTION SHOULD NOT BE GRANTED; IF YOU DO NOT FILE A TIMELY RESPONSE, THE RELIEF MAY BE GRANTED WITHOUT FURTHER NOTICE TO YOU. IF YOU OPPOSE THE MOTION AND HAVE NOT REACHED AN AGREEMENT, YOU MUST ATTEND THE HEARING. UNLESS THE PARTIES AGREE OTHERWISE, THE COURT MAY CONSIDER EVIDENCE AT THE HEARING AND MAY DECIDE THE MOTION AT THE HEARING.

To the Honorable Eduardo V. Rodriguez:

Vivaldi Music Academy, LLC ("VMA"), hereby files this Application to Employ Corral Tran Singh, LLP as Counsel for the Debtor under 11 U.S.C. § 327(a) ("Application") and in support of the requested relief, would show as follows:

I. JURISDICTION & VENUE

1. This Court has jurisdiction over these matters pursuant to 28 U.S.C. § 157 and 1334.

This is a core proceeding pursuant to 28 U.S.C. § 157(b). Venue of this Chapter 11 case in this district is proper pursuant to 28 U.S.C. § 1408 and 1409.

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II. BACKGROUND

2. VMA filed a voluntary petition for relief on July 18, 2019 (the “Filing Date”) under Chapter 11 of Title 11, United States Code 11 U.S.C. § 101 *et seq.* (the “Bankruptcy Code”). VMA’s case is pending before the United States Bankruptcy Court for the Southern District of Texas, Houston Division.

3. VMA is a Texas limited liability company incorporated on June 25, 2012. VMA is a manager managed limited liability company whose manager is Zeljko Pavlovic (“Pavlovic”), who has managed VMA since its inception and is also the sole member. VMA provides private music lessons in stringed instruments and private voice lessons in the Memorial and West University areas in Houston, Texas and operates three locations. VMA employs roughly 44 faculty members.

4. Pavlovic initially met with Corral Tran Singh, LLP (“CTS”) on April 23, 2019 regarding a potential bankruptcy filing in order to reorganize its liabilities. VMA retained CTS on May 6, 2019 to perform due diligence in anticipation of filing of its Chapter 11 bankruptcy to represent VMA in the capacity of general bankruptcy counsel.

5. VMA seeks entry of an order pursuant to 11 U.S.C. § 327(a) authorizing the employment and retention of Corral Tran Singh, LLP as general bankruptcy counsel.

III. RETENTION OF CORRAL TRAN SINGH, LLP

6. VMA desires to employ CTS to perform the legal services required in connection with this case, to act as the attorneys for VMA in all matters arising in or related to this Chapter 11 Bankruptcy.

7. The professional services to be rendered on behalf of VMA by CTS pursuant to 11 U.S.C. § 327 include the following:

- i. Analysis of the financial situation, and rendering advice and assistance to the Debtor;
- ii. Advising the Debtor with respect to its rights, duties, and powers as a debtor in this case;
- iii. Represent the Debtor at all hearings and other proceedings;
- iv. Preparation and filing of all appropriate petitions, schedules of assets and liabilities, statements of affairs, answers, motions and other legal papers as necessary to further the Debtor's interests and objectives;
- v. Representation of the Debtor at any meeting of creditors and such other services as may be required during the course of the bankruptcy proceedings;
- vi. Representing the Debtor in all proceedings before the Court and in any other judicial or administrative proceeding where the rights of the Debtor may be litigated or otherwise affected;
- vii. Preparation and filing of a Disclosure Statement and Chapter 11 Plan of Reorganization;
- viii. Assist the Debtor in analyzing the claims of the creditors and in negotiating with such creditors; and
- ix. Assistance to the Debtor in any matters relating to or arising out of the captioned case.

8. Because of the legal services required in this case, VMA believes the employment of CTS for all of the purposes set forth above are appropriate and in the best interest of its estate.

9. VMA believes that CTS possesses extensive knowledge and expertise in the areas of law pertinent to this case and that CTS is well qualified to represent it in this proceeding.

IV. CORRAL TRAN SINGH, LLP IS DISINTERESTED

10. Under 11 U.S.C. 327(a), the trustee or debtor in possession is authorized to employ one or more professional persons that do not hold or represent an interest adverse to the estate and that are "disinterested persons," as defined in 11 U.S.C. 101(14), to represent or assist the debtor in possession in carrying out its duties under the Bankruptcy Code. 11 U.S.C. § 101(14) and 327(a).

11. Based on the VMA's knowledge, CTS is not an insider to VMA, nor does it have any direct or indirect relationship to, connection with, or interest in its estate that would make its interests materially adverse to the interests of the estate or of any class of creditors or equity

security holders. CTS is a “disinterested person” within the meaning of Section 101(14) of the Bankruptcy Code. Attached hereto is Corral Tran Singh, LLP’s Unsworn Declaration under § 327 and Rule 2014 made by attorney Susan Tran.

V. TERMS OF REPRESENTATION

12. For legal services rendered in the above-captioned case, VMA has agreed to compensate CTS in accordance with its normal billing practice and subject to the provisions of 11 U.S.C. § 327(a), the Bankruptcy Rules and the Local Rules and subject to the approval of this Court.

13. The attorneys of CTS are duly admitted to practice before the United States District Court for the Southern District of Texas. Below is a table of attorneys employed by CTS who may work on the Debtor’s case along with their respective hourly rates:

<u>Attorney Name</u>	<u>Year Admitted</u>	<u>Hourly Rate</u>
Susan Tran	2011	350.00
Brendon Singh	2011	375.00
Adam Corral	2012	350.00

14. Additionally, VMA has agreed to pay for the reasonable and necessary expenses incurred in rendering legal services to VMA, including, but not limited to, postage, photocopying, long distance charges, depositions, and filing fees. Pursuant to the Bankruptcy Code, the fees of CTS together with its necessary disbursements and expenses, constitute administrative expenses of the Debtor’s estate in such amounts as may be allowed by the Court. As set forth in the Declaration, CTS has received a pre-petition retainer in the amount of \$20,000.00 remitted on July 3, 2019 and has applied \$10,955.88 towards pre-petition attorney’s fees and expenses.

15. As provided in the retention agreement with VMA will provide post-petition retainer of \$5,000.00 every 60 days following the Filing Date.

WHEREFORE, VMA requests that this Court enter an Order approving the retention of Corral Tran Singh, LLP as general bankruptcy counsel in this proceeding, and for such other and further relief as the Court may deem just and proper.

Dated: July 18, 2019

/s/Zeljko Pavlovic
Zeljko Pavlovic, Manager

CORRAL TRAN SINGH, LLP

By: /s/Susan Tran
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**PROPOSED ATTORNEYS
FOR VIVALDI MUSIC ACADEMY, LLC**

CERTIFICATE OF SERVICE

I hereby certify that on July 18, 2019 the following parties below and attached Service List were served a true and correct copy of the foregoing Motion via First Class Mail mail.

/s/Susan Tran
Susan Tran

VERIFICATION OF TRANSMITTAL TO U.S. TRUSTEE

The undersigned, an attorney, under penalties of perjury, verifies that a copy of the Motion was delivered to the United States Trustee on July 18, 2019 by electronic delivery by the clerk of the Bankruptcy Court.

/s/Susan Tran
Susan Tran